

REMARKS

With entry of this amendment, claims 1, 2, 4, 6, 9, 12, and 17 have been amended, claims 2, 3, 7, 8, 10, 11, and 18-20 have been cancelled, and claims 21-29 have been newly added. Based on the foregoing amendments and following remarks, reconsideration and allowance of this application is respectfully requested.

Minor Claim Amendments

Applicant notes that various amendments have been made to the claims to either remove active or redundant language from the apparatus claims, to make the claims more readable, or to consolidate dependent claims, and thus, to the extent that such claim amendments are not addressed below, should not be construed to made in response to any current claim rejection or anticipated subsequent claim rejection, based on prior art or otherwise.

Claim Rejections-35 U.S.C. §102

Claims 1 and 2 stand rejected under 35 U.S.C. §102(e), as being anticipated by U.S. Patent No. 6,674,028 (“Matsuo”). Applicant respectfully traverses this rejection, since Matsuo does not disclose each and every element required by these claims, as amended.

In particular, independent claim 1 has been amended to include the limitations of claim 3, which has not been rejected over Matsuo. Thus, Applicant submits that independent claim 1, as well as dependent claim 2, are not anticipated by Matsuo, and as such, respectfully request withdrawal of the §102 rejections of these claims.

Claim Rejections-35 U.S.C. §103

Claims 1-4 and 11 stand rejected under 35 U.S.C. §103 as being obvious over Welker, et al., “Microphone-Array Hearing Aids with Binaural Output-Part II: A Two Microphone Adaptive

System” (“Welker”) in view of Desloge, et al., “Microphone-Array Hearing Aids with Binaural Output-Part I: Fixed Processing Systems,” (“Desloge”). Claims 2, 3, and 11 have been cancelled, thereby rendering the rejections of these claims moot. As for claims 1 and 4, Applicant respectfully traverses this rejection, since neither Welker nor Desloge, alone or in combination, discloses each and every element required by these claims, as amended.

In particular, independent claim 1 has been amended to preclude separation of each of the first and second output signals into low and high frequency spectrum portions. In contrast, the entire design of the Welker system is based on the principal of separating each of the input signals into a low frequency spectrum portion dedicated to binaural processing and a high frequency spectrum portion devoted to adaptive array processing. Thus, Applicant submits that independent claim 1, as well as dependent claim 4, are not obvious in view of Welker and Desloge, and as such, respectfully request withdrawal of the §103 rejections of these claims.

#### Claim Objections

Claims 5-10 stand objected to as depending from rejected base claims, but would be allowable if rewritten in independent form. Accordingly, claims 5 and 9 have been substantially rewritten as independent claims. Claims 6-8 depend from rewritten claim 5, and claim 10 has been cancelled. As such, Applicant respectfully requests withdrawal of the objections of these claims.

#### Claim Allowance

Applicant graciously acknowledges the allowance of claim 12-20. Claims 18-20 have been cancelled in order to reduce the number of pending claims.


New Claims

Newly added claims 21-29, which find support in the originally filed application, depend from independent claims 1, 5, and 9, and are thus, patentable over the prior art for the same reasons as these claims.

Conclusion

Based on the foregoing, it is believed that, with entry of this amendment, all claims are now allowable and a Notice of Allowance is respectfully requested. If the Examiner has any questions or comments regarding this amendment, the Examiner is respectfully requested to contact the undersigned at (714) 830-0600.

Respectfully submitted,

  
Michael J. Bolan  
Reg. No. 42,339

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Bingham McCutchen LLP  
Three Embarcadero Center, 18th Floor  
San Francisco, California 94111